



New Jersey Department of Children and Families Policy Manual

Manual:	NJAC	NJ Administrative Code Excerpts	Effective Date:
Title	10	Human Services	
Chapter	124	Manual Of Standards For Children'S Shelter Facilities And Homes	9/12/2008
Subchapter:	1	General Provisions	
Section	1	Legal authority (N.J.A.C. 10:124-1.1)	

§10:124-1.1 Legal authority

(a) This chapter is promulgated pursuant to N.J.S.A. 30:1-14 and 15, N.J.S.A. 30:4C-4 and N.J.S.A. 2A:4A-37; 2A:4A-20 et seq.

(b) Under N.J.S.A. 30:1-14 and N.J.S.A. 30:4C-4, the Department of Human Services is authorized to inspect, evaluate and approve publicly or privately operated shelter facilities and/or homes that:

1. Provide board, lodging or care for children who are placed or financed by the Division of Youth and Family Services or any other State agency; and
2. Are not subject to licensing or regulation by any State agency.

(c) Under N.J.S.A. 2A:4A-20 et seq., the Department of Human Services is mandated to inspect, evaluate and "specify" (approve) shelter facilities and/or homes that:

1. Are operated either directly or indirectly by a county government agency; and
2. Provide board, lodging or care primarily for children in juvenile-family crisis as defined by State law, who are awaiting court disposition or post-disposition action.

(d) In order to be eligible to provide care for children, a shelter facility and/or home described in (b) or (c) above shall demonstrate to the satisfaction of the Department of Human Services or its duly authorized agent through such methods and procedures as may be prescribed that it complies with the rules and regulations contained in this chapter, which shall constitute minimum standards only.

(e) Responsibility for insuring that such shelter facilities and/or homes comply with the provisions of the statutes cited in (a) above and of this chapter is hereby

delegated by the Department of Human Services to the Bureau of Licensing of the Division of Youth and Family Services.

(f) Under N.J.S.A. 30:1-15, the Department of Human Services is authorized to "visit and inspect" publicly or privately operated shelter facilities and/or homes that:

1. Provide board, lodging or care for children who are not placed or financed by the Division of Youth and Family Services or any other State agency; and

2. Are not subject to licensing or regulation by any State agency.

(g) The Department of Human Services or its duly authorized agent is authorized to "visit and inspect" such facilities and/or homes as noted in (f) above, to assess the general health, safety, and well-being of the children and the care and treatment they are receiving. Although such shelter facilities and/or homes cannot be required to comply with the rules and regulations contained herein the Department may use these rules and regulations as the basis for its inspection.

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